



Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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Memorandum

Date: September 22, 2016

To: Patrick Dwyer, Chair, & Members, Zoning Board of Adjustment

From: Robert Price, Assistant Planner

Subject: **Peter and Linda L'Ecuyer (petitioners/owners)** — Variances under Section 2.02.1.A.4 (E)* and (F)* of the Zoning Ordinance to permit an 1,104 s.f. ADU (Accessory Dwelling Unit) whereas 1,000 s.f. is allowed and for a 192 s.f. external connection to the ADU whereas an internal connection is required. The parcel is located at 7 Paige Drive in the R (Residential) District. Tax Map 7D, Lot 043. Case # 2016-30 and 31. (*Sections from posted Zoning Amendments currently before the Town Council for final adoption.)

The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

Background:

Map 7D, Lot 043 is located at 7 Paige Drive. The parcel is located in the R (Residential) District (R-2 by soils) and is 0.689 acres in size. It is serviced by a private well and septic system. The lot is abutted by residences on all sides.

The petitioner is proposing the construction of an Accessory Dwelling Unit (ADU) that will be 1,104 square feet whereas a maximum of 1,000 square feet is permitted, and also a 192 square foot external connection whereas an internal connection is required. The Zoning Ordinance sections referenced, Sections 2.02.1.A.4 (e) and (f), are from a proposed zoning amendment that has been posted for a public hearing and is legally enforceable, but has not yet been adopted by the Town Council (adoption is anticipated in October). The petitioner will need to meet all other requirements of the new ordinance language prior to the issuance of any permits.

Standard of Review:

It is the burden of the petitioner to demonstrate that the five criteria for the granting of the variances under Sections 2.02.1.A.4 (e) and (f) of the Zoning Ordinance have been met to permit an 1,104 square foot ADU whereas 1,000 square feet is permitted and for a 192 square foot external connection to the ADU whereas an internal connection is required.

Cc: Zoning Board File
Correspondence

Ec: Peter & Linda L'Ecuyer, petitioners/owners
Building Department Staff
Captain John Manuele, Merrimack Fire Department